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7                   UNITED STATES DISTRICT COURT  
8                   WESTERN DISTRICT OF WASHINGTON  
9                   AT SEATTLE

10 GS HOLISTIC LLC,

CASE NO. C23-0315JLR

11                   Plaintiff,

ORDER TO SHOW CAUSE

12                   v.

13 IMAM CORPORATION, INC., et  
al.,

14                   Defendants.

15                   Before the court is Plaintiff GS Holistic, LLC’s (“GS Holistic”) motion for default  
16 against Defendants Imam Corporation, Inc. (“Imam”) and Ayaz Ahmed. (Mot. (Dkt.  
17 # 14).) GS Holistic states that (1) it served a copy of the summons and complaint on Mr.  
18 Ahmed on May 9, 2023 “via substitute service” on a “manager/clerk” at Imam’s business  
19 location (*id.* ¶ 2; 5/17/23 Aff. (Dkt. # 11)); (2) it mailed a copy of the summons and  
20 complaint to Mr. Ahmed at Imam’s business address on June 8, 2023 (Mot. ¶ 3; 7/18/23  
21 Aff. (Dkt. # 13); *see* Compl. (Dkt. # 1) ¶ 6 (stating Imam’s business address)); and  
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1 (3) “[f]or substitute service, service is deemed complete on the tenth day after mailing the  
2 complaint and summons” (Mot. ¶ 4). GS Holistic does not cite the statute or rule that  
3 authorizes this form of substitute service. (*Id.*)

4 The court is unaware of any provision of Washington law or the Federal Rules of  
5 Civil Procedure that allows substitute service of process on an individual defendant by  
6 leaving a copy of the summons and complaint with an employee of the individual’s  
7 business and subsequently mailing the summons and complaint to the individual  
8 defendant’s business address. *See Fed. R. Civ. P. 4; Wash. Civ. R. 4(d)* (citing statutes  
9 authorizing methods of service under Washington state law). To the extent GS Holistic  
10 purports to rely on RCW 4.28.080(17), that statute provides for service, “where the  
11 person cannot with reasonable diligence be served,”

12 [b]y leaving a copy at his or her usual mailing address with a person of  
13 suitable age and discretion who is a resident, proprietor, or agent thereof; and  
14 by thereafter mailing a copy by first-class mail . . . to the person to be served  
15 at his or her usual mailing address. For the purposes of this subsection,  
16 “usual mailing address” does not include . . . the person’s place of  
17 employment.

18 RCW 4.28.080(17). GS Holistic has not demonstrated that it exercised “reasonable  
19 diligence” in attempting to personally serve Mr. Ahmed or that Imam’s business address  
20 is Mr. Ahmed’s “usual mailing address.” (*See generally* Mot.) Accordingly, the court  
21 ORDERS GS Holistic to show cause, by no later than **August 30, 2023**, why the court  
22 should not deny its motion for default (Dkt. # 14) for failure to show that it properly

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1 served Mr. Ahmed. Failure to timely respond to this order will result in denial of the  
2 motion for default.

3 Dated this 23rd day of August, 2023.

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JAMES L. ROBART  
United States District Judge

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